R H Womble

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SPEECH OF

HON. ALEX. H. STEPHENS,

DELIVERED BEFORE

THE GEORGIA LEGISLATURE,

On Wednesday Night, March 16th, 1864.

Reported for the Atlanta Intelligencer by A. E. Marshall, and Revised by Himself.

(CONCLUDED.)

On this subject much light is to be derived from English history. Our whole system of Constitutional liberty rests upon principles established by our Anglo Saxon ancestors. But between their system and ours, there are several differences that should be noted and marked—and none more striking and fundamental than the difference between the two upon this subject. With them the right of personal security against illegal arrests, was wrested from the Crown by the Parliament, and established by Magna Charta, the bill of rights, the abolition of the star chamber, and the grant of the writ of *habeas corpus*, which is the means of redress against violations of law, and other wrongs against rights secured and acknowledged. In the abolition of the court of star chamber, the power was taken from the King, his heirs and successors forever, and every member of his privy council, to make any arrest of any person for any offense or alleged crime, except by due process of law. By this act, the power of the King to issue warrants or orders of arrest, unsupported by oath or affirmation, setting forth probable cause, which before, had been claimed as a royal prerogative, was taken away from him and his successors forever. The ruling monarch Charles I, gave his consent to the act and yielded the power. He afterwards broke his pledge. Civil commotions ensued from this and other causes. He lost his head upon the block. The subsequent history of that strife between the people and the Crown of England, on this and other matters is not now pertinent to the object before us. Suffice it to say that it ended in the settlement as it is termed between the Parliament and their new sovereigns, William and Mary—in 1688–89. In this settlement, all the ancient rights and liberties of the English people, including the right of the writ of *habeas corpus*, were re-affirmed and secured. Such were the liberties inherited as a birth-right, that our British ancestors brought with them to this continent. The principles established in England, after centuries of struggle and blood, formed the basis upon which the great structure of American constitutional liberty was erected. But the striking difference between their system and ours to which I have alluded and which should never be lost sight of, is that with them, all power originally belonged to the Crown. All rights and liberties were grants from the Crown to the Parliament, and through them to the people, while with us all power originally belonged to the people—and essentially, still resides with them. They have appointed agents to perform the functions of government in the different departments, executive, judicial and legislative, under the form of government set forth in the Constitution, clothed with the exercise of certain delegated, specific and limited powers. In England it is competent for the Parliament at any time to return the Crown all the powers heretofore extorted from their kings. They can repeal any day Magna Charta, the *habeas corpus* act and the whole bill of rights, and render the ruling monarch as absolute as either of the Tudors or Stuarts ever claimed or wished to be. The principles of Magna Charta as to personal liberty and the right of the writ of *habeas corpus* to secure these rights are put in our fundamental laws, and cannot be violated by Congress, for their powers are limited, and they are themselves bound by the Constitution. That the British people would ever submit to a surrender of their rights by Parliament, no one can for a moment believe. But Parliament claims to be omnipotent and could make the surrender, if they chose to run the risk. Hence analogies between this country and that on the suspension of the writ of *habeas corpus* and the effect of such suspension, either generally or specially, should be closely scanned; even in England, so great is the regard for liberty, suspensions have been rare since the settlement of 1688–'89. The writ was suspended there in 1715 and in 1745—and in 1788 it was suspended in Ireland with the power conferred on the lord lieutenant to make arrests. Under the system of government in England, the Parliament could confer this power upon the Crown or the lord lieutenant, or upon any other person they saw fit. Not so with our Congress, under our Constitution. In criticisms upon the Governor's message, these suspensions have been alluded to against the positions of the message. They are not in conflict at all.—What the Governor states is that he is not aware of any "instance in which the British King has ordered the arrest of any person in civil life in any other manner than by judicial warrant issued by the established courts of the nation, or in which he has suspended or attempted to suspend the privilege of the writ of *habeas corpus*, since the bill of rights and the act of settlement passed in 1689."—He did not say that Parliament had not suspended it, or that our Congress could not suspend it, in a proper way, but that even in England, where Parliament was unrestrained, they had not, since the settlement conferred upon the Crown, the power to make arrests, so far as he was aware.

At this point I will briefly refer to the suspension by our Congress, alluded to the other night by the distinguished gentleman, (Hon. A. H. Keenan,) who lately represented this district; a gentleman whose remarks I listened to with a great deal of interest, and whose personal friendship I esteem so highly. He referred to the act of the Confederate Congress, passed October 13, 1862, and asked—Why were there no objections made to that? This act he read. I have it before me. It provides that the "President, during the present invasion, shall have the power to suspend the privilege of the writ of *habeas corpus* in any city, town, or military district, whenever, in his judgment, the public safety may require it; but such suspension shall apply only to arrests made by the authorities of the Confederate government, or for offenses against the same," and in section 2d, that "the President shall cause proper officers to investigate the cases of all persons so arrested, in order that they may be discharged if improperly detained, unless they can be speedily tried in due course of law." The 3d section limits the act to thirty days after the meeting of the next Congress.

The answer to the inquiry, why there was no noise made about this act, while there is so much made about the one lately passed, is two-fold. In the first place, this act applied "only to arrests made by the authorities of the Confederate government"—"for offenses against the same." The proper authorities for issuing warrants to arrest are the courts, whose duty it is to issue warrants for arrests whenever offenses or crimes are charged upon oath or affirmation, stating probable cause. The section directing the President to cause "proper officers to investigate the cases," ect., in its immediate connection with the proceeding, had nothing in it calculated to awaken, alarm or excite objection, for by "proper officers" all naturally supposed judicial officers only could be meant—judges who would or might act in discharging under writs of *habeas corpus*, if that privilege had not been suspended. In this connection these words seemed naturally enough to have a meaning far different from what they have when taken from their context and put into this late act, in which it is clear enough they are there intended to apply to other than judicial officers. There was then, nor now, any objection, as far as I am aware of, to the suspension of the privilege of the writ of *habeas corpus* in any city, town, or district, or generally throughout the country, if Congress really has good reasons to believe the public safety requires it, and if the power to suspend be constitutionally exercised. The objection to the late act is, that it attempts to do what cannot constitutionally be done.

But in the second place, in answer to the inquiry, why no noise was made about the act of October, 1862, I need only say that upon the bare statement of the real and substantial objections to that act, it was admitted to be unconstitutional and void, because it attempted to confer the power to suspend upon the President, when, in his judgment, the public safety required it in the localities embraced in its terms. Congress alone, under the Constitution, has the power to suspend the privileges of the writ. They cannot confer this power upon the President or anybody else. This is conclusively admitted both by Congress and the President in the late act, for it is set forth in the preamble, "Whereas, the power of suspending the privilege of said writ is vested solely in the Congress," etc.—This is an admission on the record that the other act was unconstitutional and void. But, to my mind, it is just as clear that Congress cannot confer upon the President, or any other officer but a judicial one, the power to issue orders or warrants for the arrest of persons in civil life, as it was then, and on the passage of a similar act previously, that they could not confer the power upon the President to suspend the privilege of the writ of *habeas corpus*. The late act is just as void as the previous ones, and for a like reason. In it Congress has attempted to do what they had not power to do. The first act on the subject was assented to on the 27th Feb., 1862. That attempted to confer on the President the power not only to suspend the privilege of the writ of *habeas corpus* in certain cities, towns, military districts, etc., but to declare martial law, etc. This was after wards amended. But no one can say that during the progress of these events that I was silent. My sentiments upon the subject of martial law, against the unconstitutional usurpations of power, were proclaimed throughout the Confederacy, as they are now, and will be proclaimed against the dangerous departures from principle in this act. Martial law has been abandoned, and I trust the departures from principle in this act will be too. I speak upon these as I think upon them. I have no inclination to arraign the motives of those who disagree with me. Great principles are at stake, and I feel impelled by a high sense of duty, when my opinions are sought, to give them fully, clearly, and earnestly.

A few thoughts more upon the subject in another view. These relate to the object and workings of the act, if it be sustained and carried out. You have been told that it affects none but the disloyal, none but traitors, or those who are no better than traitors, spies, bridge burners and the like, and you have been appealed to and asked if such are entitled to your sympathies? I affirm, and shall maintain before the world, that this act affects and may wrongfully oppress as loyal and as good citizens and as true to our cause, as ever trod the soil or breathed the air of the South. This I shall make so plain to you that no man will ever venture to gainsay or deny it. This long list of offenses set forth in such array in the thirteen specifications, are, as I view them, but rubbish and verbiage, which tend to cover and hide what in its workings will be found to be the whole gist of the act. Whether such was the real object and intention of its framers and advocates, I know not. Against their motives or patriotism I have nothing to say. I take the act as I find it. The whole gist of it lies, so far as appears upon its face, covered up in the fifth specification, near the middle of the act. It is embraced in the words—"and attempts to avoid military service."

Here is a plain indisputable attempt to deny every citizen in this broad land the right if ordered into service, to have the question whether he is liable to military duty under the laws tried and adjudicated by the courts?—Whether such was the real object and intention of those who voted for the bill, I know not, but such would be its undeniable effect if sustained and enforced. A man over fifty years of age, with half a dozen sons in the field, who has done everything in his power for the cause from the beginning of the war, may, under instructions from the Secretary of War, be arrested by the sub-enrolling officer and ordered to camp, upon the assumed ground that, in point of fact, he is under fifty. Under this law, if it be a law, he would be without remedy or redress. A case to illustrate by, occurred within my own knowledge last fall. Orders were issued to examine the census returns of 1860, as to the ages of persons, and instructions given to sub-enrolling officers to be governed as to the age of parties by those returns. In the case alluded to by the census returns, the party was not forty-five at the time of arrest. He protested that he had not made the census returns himself—that the return was erroneous, it was not given under oath—that he was able to prove by evidence entirely satisfactory, that he was over forty-five and not liable under the law, as it then stood to military service. His privilege of the writ of *habeas corpus*—his right to have this question of fact and law settled by the courts, was not then suspended, and he was discharged. But what would be his situation, and that of all others in like circumstances, if this act be held to be law? It is said that the act affects none but the disloyal, and that no good law-abiding man can justly complain of it! As I view it, its main effect is to close the doors of justice against thousands of citizens, good and true, who may appeal to the courts for their legal rights. Take the case of those who availed themselves of the law to put in substitutes—some for one motive, and some for another—some, doubtless, for not only good but patriotic motives, believing that they could render the country more service at home than in the field. I know one who has put in two, one when the call was for those up to thirty-five years of age, the other when the call was to forty-five. One of these substitutes was an alien, whose services could not have been commanded by the government, and who is now at Charleston, and has been during the whole siege of that place. This man who put in these two substitutes, remained at home most usefully employed in producing provisions for the army. All his surplus went that way, while he had two men, abler bodied than he was, fighting for him, in the field. Who would say that such a man is disloyal to the cause, if, believing in his heart that he was not liable under his contract, as he supposed, with his government, he should appeal to the courts to decide the question whether he is liable under the law or not? As to the law allowing substitutes in the first instance, and then the law abrogating or annulling it, and calling the principals into the field, I have nothing to say. What I maintain is, that it is the great constitutional right of any and every party affected by the last of these acts on the subject, to have the question of his legal liability judicially determined if he chooses, and then as a good law abiding citizen act accordingly.

Take another illustration of the practical workings of the act. Congress by law exempted from conscription such State officers as the Legislature of the respective States might designate as proper to be retained for State purposes. At your last session you, by resolution, designated all the civil and militia officers of the State. A late order has been issued by Gen. Cooper, as is seen in the papers, doubtless under order from the Secretary of War, to enroll and send to camp a large number of these officers—amongst others, justices of the peace, tax receivers and collectors. This order is clearly against the law of Congress and your solemn resolution. It is in direct antagonism to the decision of the Supreme Court of this State, in the very case in which they sustained the power of Congress to raise troops by conscription, but in which they held that the power was limited, and that the civil officers of the State could not be constitutionally conscripted. I use the word conscripted purposely—I know there is no such word in the English language—neither is there any such word as conscribe, the one usually in vogue now a-days. A new word had to be coined for a process or mode of raising armies, unheard of and undreamed of by our ancestors, and I choose to coin one which best expresses my idea of it. But under this order of General Cooper, is it not the right of these officers, is it not the right of the State, to have the question of their liability to conscription determined by the judiciary? Is it not the duty of Congress to compel the Secretary of War and Gen. Cooper to abide by that decision and to obey their own laws, instead of attempting to close the doors of the courts against the adjudication of all such matters that come within the sphere of their constitutional duties.

Again, Congress by the last section of the first conscript act, declared that all who were or should be subject to it might, previous to enrollment, volunteer in any companies then in the service. Notwithstanding this express law of Congress, securing the right of any person liable to conscription to volunteer in any company then in the services previous to enrollment, General Cooper has issued an order by direction of the Secretary of War, doubtless, denying this right to volunteer in any company then in existence, unless the number in such company is less than sixty-four men. Under this illegal order a number of as brave, gallant, chivalrous, noble spirited youths as ever went forth to battle for their country and peril their lives for constitutional liberty, will be deprived of their birth right—the right to have questions of law, affecting their liberty, determined by the courts—if this act, closing the court against them, shall be held to be valid. Tell me not that act affects none but traitors, spies, and the disloyal! I heard not long since in Albany; a father carried his son to the district enrolling officer; he had just arrived at the age when he was liable to conscription; he never wished him to go to the war as a conscript. His older brothers had gone before him, they went out early in the war as volunteers, and then formed part of that living wall of freemen which still stands between us and a ruthless foe. He told the enrolling officer, in substance, that he had brought this boy the Benjamin of his heart, as another offering on the altar of his country. He was going as a volunteer under the clause of the act alluded to; he had selected the company to which his brothers belonged. He was told this could not be allowed. At this the father was greatly surprised and mortified, as may be readily understood; he insisted upon the rights of his son. Great as his surprise was at first however, greater was it still to be. The son was ordered to jail, to be sent to the camp of instruction, to be assigned to any company his officers might choose. The high spirited youth, scorning conscription, offering himself as a volunteer, asking nothing but his legal rights, instead of [illegible] with cheers by the crowd, and a father's [illegible], was sent to jail as a felon!

Can any one say that this was not a [illegible] outrage?

It is, however, but one of a thousand cases like it that may occur, and probably will occur, should this law be held to be constitutional; and if the doors of the courts are to be closed against all who may be ordered to the military service, without any regard to law. I have here two letters which will further illustrate how this act will work. They are both addressed to the Governor. One is from Mr. Samuel M. Parker, written in Charleston jail. [Here Mr. S. read the letter, stating that the writer [illegible] that he lived in Whitfield county. That he was [illegible] years of age, as the record would show, [illegible] in Whitfield county. That he was at his home with his wife, (who was then sick,) with ten small children on the [illegible] of this year, when a party on horses came and arrested him, and carried him to Dalton. And from Dalton, he was carried to Atlanta. He protested that he was over age, and not liable to military duty—that he was forty-seven years old. He was told that that was the right age to make a soldier in South Carolina, and he was sent to Charleston, where he was put in jail. He appeals to the Governor of his native State and the State of his residence, to have justice done him.] Of this Mr. Parker, said Mr. S., I know nothing, except what is stated in this letter. It may be false, and yet it may be true, [illegible] ought to be done to a man [illegible]. But whether true or false, the courts ought never to be closed against an inquiry into the facts, and never will be, so long as personal security has any protection in this country.

The other letter is from the Hon. John Oats, a member of this House, from the county of Murray. It is dated the 11th of this month, the day after the meeting of this session [Here Mr. S. read Mr. Oats' letter, stating that he was detained at Atlanta under very painful circumstances. His oldest son, who had been in the army, was subject to epilepsy, and had been discharged in consequence. That afterwards he had been carried before a board of physicians, who pronounced his case incurable, and he was given a certificate of final discharge, on the grounds of permanent disability. That on the morning Mr. Oats left home for Milledgeville, the provost guard at Dalton, went to his house at Spring Place, and carried his son off to Dalton. They carried him from there to Cartersville, to Capt. Starr, the enrolling officer for the 10th Congressional district, and he, knowing all about his case, sent him back to Dalton, stating in writing on the order that he was sent there under, that according to law, and his orders from the War Department, he was not liable to conscription. That on his return to Dalton they put him in irons and assigned him to Charleston, to go into the fortifications, and that he expected him in Atlanta that evening. He was waiting with the best counsel he could get, to see if there was any virtue in the writ of *habeas corpus*. He asked that the Governor would get some member to procure for him leave of absence from the House.

Well for Mr. Oats (said Mr. Stephens) and his afflicted son, there is some virtue yet in the writ of *habeas corpus*.

But what virtue would be in it, if it is denied under this act, to all who attempt to avoid military service? Nothing could induce me to read such letters on such an occasion, but a sense of duty, to show you what will be the state of things all over the country, under the operations of such a law, when orders are issued for its enforcement, and to put you on your guard against the flippant phrase that the act will affect none but traitors, spies and disloyal people. Had it been in operation, and the courts regarded it, Mr. Oats' son, who had served his country faithfully, as long as he was able, might now have been beyond remedy, beyond redress and beyond hope. Will you say, can you say, that the courts ought to be, or can be closed, against such monstrous wrongs? Will you not rather put upon the attempt to do it, the seal of your unqualified condemnation? Tell me not, to put confidence in the President. That he will never abuse the power attempted to be lodged in his hands. The abuses may not be by the President. He will not execute the military orders that will be given. This will necessarily devolve upon subordinates, scattered all over the country, from the Potomac to the Rio Grande. He would have to possess two superhuman attributes, to prevent abuses—omniscience, and omnipresence!

These things our forefathers knew, and hence they threw around the personal security of the free citizens of this country a firmer, safer, surer protection than confidence in any man, against abuses of power, even when exercised under his own eye and by himself. That protection is the shield of the Constitution. See to it that you do not in an evil hour tear this shield off and cast it away, or permit others to do it, lest in a day you wot not of you sorely repent it.

Enough has been said, without dwelling longer upon this point, to show, without the possibility of a doubt, that the act does affect others, and large classes of others than spies, traitors, bridge burners and disloyal persons—that the very gist of the act whatever may have been the intent or the motive, will operate most wrongfully and oppressive on as loyal as patriotic, and as true men as ever inherited a freeman's birthright under a Southern sky. You have also seen that there is and can be no necessity for the passage of such an act, even if it were constitutional, in the case of spies, traitors or conspirators. For, if there be a traitor in the Confederacy—if such a monster exists—if any well grounded suspicion is entertained that any such exists, why not have him legally arrested by judicial warrant upon oath or affirmation, setting forth probable cause, and then he can be held under a constitutional suspension of the privileges of the writ—he can be tried, and if found guilty, punished. What more can the public safety by possibility require? Why dispense with the oath? Why dispense with judicial warrants? Why put it in the power of any man on earth to order the arrest of another on a simple charge, to which nobody will swear? Who is safe under such a law? Who knows, when he goes forth, when or whether he shall ever return? The President, according to this act, is to have power to arrest and imprison whoever he pleases, upon a bare charge, made, perhaps, by an enemy of disloyalty. The party making the charge not being required to swear it! Who, I repeat, is safe or would be under such a law? What were the objects of the act, in these clauses, as to treason, disloyalty, and the others, I do not know. To me it seems to be unreasonable to suppose that it was to reach real traitors and persons guilty of the offenses stated. For that object could have been easily accomplished without any such extraordinary power. I was not at Richmond when the act passed. I heard none of the discussions, and knew none of the reasons assigned, by the President in asking it, or the members or Senators who voted for it. I was at home, prostrate with disease, from which I have not yet recovered, and by reason of which I address you with so much feebleness on this occasion. But I have heard that one object was to control certain elections and expected assemblages in North Carolina, to put a muzzle upon certain presses and a bit in the mouth of certain speakers in that State. If this be so, I regard it the more dangerous to public liberty. I know nothing of the politics of North Carolina—nothing of the position of her leading public men. If there be traitors there, let them be constitutionally arrested, tried and punished. No fears need be indulged of bare error there, or any where else, if reason is left free to combat it. The idea is incredible, that a majority of the people of that gallant and noble old State, which was foremost in the war of the revolution in her memorable Mecklenburg declaration of independence can, if let alone, ever be induced to prove themselves so recreant to the principles of their fathers as to abandon our cause and espouse the despotism of the North. Her people, ahead of all the Colonies, first flaunted in the breeze the flag of Independence and State sovereignty. She cannot be the first to abandon it—no, never! I cannot believe it! If her people were really so inclined, however, we could not prevent it by force—we could not, under the Constitution if we would, and we ought not if we could. Ours is a government founded upon the consent of sovereign States, and will be itself destroyed by the very act whenever it attempts to maintain or perpetuate its existence by force over its respective members. The surest way to check any inclination in North Carolina to quit our sisterhood if any such really exist even to the most limited extent among her people, is to show them that the struggle is continued as it was begun, for the maintenance of constitutional liberty. If, with this great truth ever before them, a majority of her people should prefer despotism to liberty, I would say to her, as to "a wayward sister, depart in peace." I want to see no Maryland this side of the Potomac.

Another serious objection to the measure, showing its impolicy, is the effect it will have upon our cause abroad. I have never looked to foreign intervention, or early recognition, and do not now. European governments have no sympathy with either side in this struggle. They are rejoiced to see professed republicans cutting each other's throats, and the failure, as they think, of the great experiment of self-government on this continent. They saw that the North went into despotism immediately on the separation of the South, and their fondest hopes and expectations are that the same destiny awaits us. This has usually been the fate of republics. This is the sentiment of all the governments in Europe. But we have friends there, as you heard last night, in the eloquent remarks of the gentleman [Hon. L. Q. C. Lamar] who addressed you on our foreign relations, and who has lately returned from those countries. These friends are zealously and hopefully watching the issue of the present conflict. In speeches, papers and reviews they are defending our cause. No argument used by them heretofore has been more effective than the contrast drawn between the Federals and the Confederates upon the subject of the writ of *habeas corpus*. Here, notwithstanding our dangers and perils, the military has always been kept subordinate to the civil authorities. Here all the landmarks of English liberty have been preserved and maintained, while at the North not a vestige of them is left. There, instead of courts of justice with open doors, the country is dotted all over with prisons and bastiles. No better argument in behalf of a people struggling for constitutional liberty could have been presented to arouse sympathy in our favor. It showed that we were passing through a fiery furnace for a great cause, and passing through unscathed. It showed that, whatever may be the state of things at the North, on this side, at least, the great beacon light of the principles of self-government, civil and religious liberty, established on this continent by our ancestors, which was looked to with encouragement and hope by the down-trodden of all nations, was not yet extinguished, but was still burning brightly in the hands of their Southern sons even burning the more brightly from the intensity of the conflict in which we are engaged. To us, in deed and in truth, is committed the hopes of the world as to the capacity and ability of man for self-government. Let us see to it that these hopes and expectations do not fail. Let us prove ourselves equal to the high mission before us.

One other view only that relates to the particularly dangerous tendency of this act in the present state of the country, and the policy indicated by Congress. Conscription has been extended to embrace all between seventeen and fifty years of age. It cannot be possible that the intention and object of that measure was really to call and keep in the field all between those ages. The folly and ruinous consequence of such a policy is too apparent. Details are to be made, and must be made, to a large extent. The effect and the object of this measure, therefore, was not to raise armies or procure soldiers, but to put all the population of the country between those ages under military law. Whatever the object was, the effect is to put much the larger portion of the labor of the country, both white and slave, under the complete control of the President. Under this system almost all the useful and necessary occupations of life will be completely under the control of one man. No one between the ages of seventeen and fifty can tan your leather, make your shoes, grind your grain, shoe your horse, lay your plough, make your wagon, repair your harness, superintend your farm, procure your salt, or perform any other of the necessary vocations of life, (except teachers, preachers and physicians, and a very few others) without permission from the President. This is certainly an extraordinary and a dangerous power. In this connection take in view this *habeas corpus* suspension act, by which it has been shown the attempt is made to confer upon him the power to order the arrest and imprisonment of any man, woman or child in the Confederacy on the bare charge, unsupported by oath, or any of the acts for which arrests are allowed to be made. Could the whole country be more completely under the power and control of one man, except as to life and limb? Could dictatorial powers be more complete? In this connection consider, also, the strong appeals that have been made for some time past, by leading journals, openly for a dictator. Coming events often cast their shadows before. Could art or ingenuity have devised a shorter or a surer cut to that end, for all practical purposes, than the whole policy adopted by the last Congress, and now before you for consideration? As to the objects, or motives, or patriotism of those who adopted that policy, that is not the question. The presentation of the case as it stands is what your attention is called to. Nor is the probability of the abuse of the power the question. Some, doubtless, think it is for the best interests of the country to have a dictator?—Such are not unfrequently to be met with whose intelligence, probity and general good character in private life are not to be questioned, however much their wisdom, judgment and principles may be deplored. In such times, when considering the facts as they exist, and looking at the policy indicated in all its bearings, the most ill timed, delusive and dangerous words that can be uttered are, can you not trust the President? Have you not confidence in him that he will not abuse the powers thus confided in him? To all such questions my answer is, without any reflection or imputation against our present Chief Magistrate, that the measure of my confidence in him, and all other public officers, is the Constitution. To the question of whether I would not or cannot trust him with these high powers not conferred by the Constitution, my answer is the same that I gave to one who submitted a plan for a dictatorship to me some months ago: "I am utterly opposed to everything looking to or tending towards a dictatorship in this country. Language would fail to give utterance to my inexpressible repugnance at the bare suggestion of such a lamentable catastrophe.—There is no man living, and not one of the illustrious dead, whom, if now living, I would so trust."

In any and every view, therefore, I look upon this *habeas corpus* suspension act as unwise, impolitic, unconstitutional and dangerous to public liberty.

But you have been asked what can you do? Do? You can do much. If you believe the act to be unconstitutional, you can and ought so to declare your judgment to be.

What can you do? What did Virginia and Kentucky do in 1798–'99, under similar circumstances? What did Jefferson do, and what did Madison do, and what did the legislators of those States then do?

Though a war was then threatening with France—though armies were being raised—though Washington was called from his retirement to take command as lieutenant-general—though it was said then as now, that all discussions of even obnoxious measures of Congress would be hurtful to the public cause, they did not hesitate, by solemn resolves by the Legislatures, to declare the alien and sedition laws unconstitutional and utterly void.—Those acts of Congress, in my judgment, were not more clearly unconstitutional, or more dangerous to liberty, than this act now under review. What can you do?—You can invoke its repeal, and ask the Government officials and the people in the meantime, to let the question of constitutionality be submitted to the courts, and both sides to abide by the decision.

Some seem to be of the opinion, that those who oppose this act are for a counter-revolution. No such thing. I am for no counter-revolution. The object is to keep the present one, great in its aims and grand in its purposes, upon the right track—the one on which it was started, and that on which alone it can attain noble objects and majestic achievements. The surest way to prevent a counter revolution, is for the State to speak out and declare her opinions upon this subject. For as certain as day succeeds night, the people of this Confederacy will never live long in peace and quiet under any government with the principles of this act settled as its established policy, and held to be in conformity with the provisions of its fundamental law. The action of the Virginia Legislature in 1779, saved the old government beyond question, from a counter and bloody revolution; kept it on the right track for sixty years afterwards, in its unparalleled career of growth, prosperity, development, progress, happiness, and renown. All our present troubles, North and South, sprang from violations of those great constitutional principles therein set forth.

Let no one, therefore, be deterred from performing his duty on this occasion by the cry of counter revolution, nor by the cry that it is the duty of all, in this hour of peril, to support the government. Our government is composed of executive, legislative and judicial departments, under the Constitution. He most truly and faithfully supports the government who supports and defends the Constitution. Be not misled by this cry, or the you must not say anything against the administration, or you will injure the cause. This is the argument of the preacher, who doubted that his derelictions should not be exposed, because if they were, it would injure his usefulness as a minister. Derelict ministers are not the cause. Listen to no such cry. And let no one be influenced by that other cry, of the bad effect of such discussions and such action will have upon our gallant citizen soldiers in the field. I know something of the feeling of these men. I have witnessed their hardships, their privations and their discomforts in camps. I have witnessed and ministered to their wants and sufferings from disease and wounds in hospitals.

I know something of the sentiments that actuated the great majority of them, when they quit home, with all its endearments, and went out to this war, not as mercenaries or human machines, but as intelligent high-minded, noble-spirited gentlemen, who were proud of their birthright as freemen, and "who, knowing their rights," dared maintain them, at any and every cost and sacrifice. The old Barons who extorted Magna Charta from their oppressor and wrong-doer by a resort to arms, did not present a grander spectacle for the admiration of the world when they went forth to their work, thoroughly imbued with a sense of the right for the right's sake, than this gallant band of patriots did when they went forth to this war, actuated with no motive but a thorough [illegible] to maintain [illegible] constitutional liberty. To [illegible] for themselves and [illegible] should come after them, was their [illegible]. [illegible] against a [illegible] foe, who had trampled the Constitution of our common ancestors under foot. They did not [illegible] quit the Union when the principles of it were no longer respected under it, but [illegible] the Constitution—the ark of the covenant [illegible] which they went to defend. These were the sentiments with which your armies were raised as if by magic. These are the sentiments with which [illegible] for the war have been made. These are the sentiments with which your ranks would have been filled to the last man whose services can be called upon in action if conscription had never been resorted to.

You cannot, therefore, send these gallant defenders of constitutional liberty a more cheering message than that, while they are battling for their rights and the common rights of all in the field, you are keeping sacred watch and guard over them in the public councils. They will enter the fight [illegible] from the assurance that their toil, and sacrifice, and blood will not be in vain, but that when the strife is over and independence is acknowledged, it will not be a bare name, a shadow and a mockery, but that with it they and their children after them shall enjoy that liberty for which they now peril all. Next to this, the most encouraging message you could send them is, that while all feel that the brunt of the fight must be borne by them, and the only sure hope of success is in the power of their arms, yet every possible and honorable effort will be made by the civil departments of the government to terminate the struggle by negotiation and adjustment upon the principles for which they entered the contest.

Gentlemen, I have addressed you longer than I expected to be able to do. My strength will not allow me to say more. I do not know that I shall ever address you again, or see you again. Great events have passed since, standing in this place three years ago, I addressed your predecessors, on a similar request, upon the questions then immediately pending our present troubles. Many who were then with us have since passed away. Some in the ordinary course of life, while many of them have fallen upon the battle field, offering up their lives in the great cause in which we are engaged. Still greater events may be just ahead of us. What fate or fortune awaits you or me, in the contingencies of the times, is unknown to us all.—We may meet again, or we may not. But as a parting remembrance, a lasting memento, to be engraven on your memories and your hearts, I warn you against that most insidious enemy which approaches with her syren song—"Independence first and liberty afterwards." It is a false delusion. Liberty is the animating spirit, the soul of our system of government, and like the soul of man, when once lost, it is lost forever. There is for it no redemption except through blood. Never for a moment permit yourselves to look upon liberty, that constitutional liberty which you inherited as a birthright, as subordinate to independence. The one was resorted to to save the other. Let them ever be held and cherished as objects co-ordinate co-existent, co-equal, co-eval and forever inseparable. Let them stand together "through weal and through woe," and, if such be our fate, let them and us all go down together in a common ruin. Without liberty I would not turn upon my heel for independence. I scorn all independence which does not secure liberty. I warn you also against another fatal delusion, commonly dressed up in the fascinating language of "If we are to have a master, who would not prefer to have a Southern one to a Northern one?" Use no such language. Countenance none such. Evil communications are as corrupting in politics as in morals.

"Vice is a monster of such hideous mien,
That to be hated, needs but to be seen.
But seen too oft, familiar with her face,
We first endure, then pity, then embrace."

I would not turn upon my heel to choose between masters. I was not born to have a master from either the North or South. I shall never choose between candidates for that office. Shall never degrade the right of suffrage in such an election. I have no wish or desire to live after the degradation of my country, and have no intention to survive its liberties, if life be the necessary sacrifice of their maintenance to the utmost of my ability, to the bitter end. As for myself, give me liberty as secured in the Constitution with all its guaranties, among which is the sovereignty of Georgia, or give me death.—This is my motto, while living, and I want no better epitaph, when I am dead.

Senators and Representatives: the honor, the rights, the dignity, the glory of Georgia is in your hands. See to it as faithful sentinels upon the watchtower, that no harm or detriment come to any of those high and sacred trusts, while committed to your charge. [Immense cheers and applause.]

[illegible]

One [illegible]

Two [illegible]

Three [illegible]

Four [illegible]

Five [illegible]

[illegible]

AUCTION AND PRIVATE SALES.

SHEET IRON AT AUCTION.

ON THURSDAY, THE 14TH OF APRIL ENSUING, we will sell at auction, together with other articles, 100 Sheets of Sheet Iron, 2x6 feet—new and recently imported: This affords to Farmers a rare opportunity to procure a much needed article for making boilers for Sorghum Syrup, as we shall sell in lots to accommodate.

CREECH & LITCHFORD,
Auctioneers.

April 5-eod2w

PUBLIC SALE,

IN WARREN COUNTY, N. C., NEAR LITTLETON, on the 12th April, 1864, all my perishable property, 40 head of Cattle, 15 Milch Cows, 120 Sheep, Horses, Hogs, Bacon, Lard, Butter, Tallow, Leather, Household and Kitchen Furniture, Farming utensils, and many other things, 14 hhds Tobacco and 12 Bales Cotton. Terms Cash.

April 1-td G. B. ALSTON.

Confederate copy and send bill to advertiser.

STOCK FOR SALE.

IF APPLICATION BE MADE IMMEDIATELY, I will sell One Hundred shares in the Chatham Railroad Company at par—$100 per share.

March 19-tf W. W. VASS, Treas

WANTED TO HIRE.

WANTED AT THE PROGRESS OFFICE, IMMEdiately, a negro man. Highest wages paid.

March 31-tf

Quartermaster's Office C. S. A.,
RALEIGH, N. C., March 23d, 1864.

I REQUIRE 25 (TWENTY-FIVE) NO. 1 NEGRO Men for employ in this Department.

Parties having good hands to hire will do well to apply immediately.

W. W. PEIRCE,
March 31-tf Captain & A. Q. M.

NOTICE.

APPLICATION WILL BE MADE TO THE GENeral Assembly, at its ensuing meeting in May, for a charter for the Stonewall Exporting and Importing Company.

March 31-2tawtd

SURGERY FOR FIELD AND HOSPITAL.

I AM NOW PREPARED TO SUPPLY MY WORK on Surgery, to subscribers and others who may wish to purchase it.

On the receipt of $5,00, the book will be sent by mail postage paid.

EDWARD WARREN, M. D.
Aug 21-tf Raleigh, N. C.

ATTENTION!

BLANK WARRANTS, LAND DEEDS, MARRIAGE Licenses, County and Superior Court Writs and other Blanks for sale at the Standard Office.

—ALSO—

Job Printing promptly, neatly and accurately executed.

March 18-d&wtf

TO RENT.

A HOUSE IN MOUNT PLEASANT, CABARRUS county, N. C., 9 miles [illegible] from Concord and [illegible] the N. C. Railroad, containing [illegible] rooms [illegible] and 2 rooms [illegible] feet; a good fire-place to each room. [illegible] Kitchen and other out-buildings.

For further particulars [illegible] in Mount Pleasant, or to ALFRED SMITH, [illegible], N. C. [illegible]

[illegible]

WANTED IMMEDIATELY, FOR THE CONFEDERATE [illegible], a number of Horses and Mules. Those who have [illegible] will do well to call at once on Wm. F. [illegible], the Agent of Inspector General, or to W. W. PEIRCE.

April 2-[illegible] Major and Chief Q. M.

DAILY PROGRESS.

RALEIGH, N. C.

THURSDAY, APRIL 7, 1864.

The Speech of Vice-President Stephens.

This great production is before the public, and the mind that conceived and uttered it stamps the author one of the greatest of American statesmen—worthy cotemporary of Clay, Webster and Calhoun, the immortal trio whose words of wisdom will be handed down from generation to generation as long as civilization keeps pace with time.

The distinguished speaker sets out by expressing a lively hope of our final success, and gives a flattering view of our condition. Success is sure if but only true to ourselves and true to those principles of liberty for which we sat out to fight.

The speech is eminently conservative. He reviews the late acts of Congress in a calm and dignified manner, and does not hesitate to express the belief that if some of them are not modified and others repealed our ruin must be both sure and speedy.

He pronounces the Act suspending the *habeas corpus* unconstitutional, unnecessary and dangerous to our liberties, and appeals to the Georgia authorities to protest against it and demand its repeal.

The military bill he thinks defective, because it robs the industrial pursuits of the country of the laboring force necessary to enable us to keep up a protracted war, and that if it be enforced it must be fatal to us. He urges common sense and honesty in the management of our affairs. But why review the speech when the reader has it before him.

The distinguished speaker paid a glowing and deserved tribute to North Carolina, and we beg all those who want to tyrannize over the peope and prevent their "assembling together to consult for the common good" to read and study this masterpiece. Mr. Stephens fully vindicates North Carolina, for he and Governor Brown, and the Georgia Legislature, have gone as far, or farther, in expressions of a desire for peace than ever any of the meetings, public men, or presses have gone in this State. They want peace, and so do we. They want it honorably, and so do we. They want to prosecute the war with vigor and acquaint the enemy with their intentions to negotiate at the same time, and so do we. Mr. Holden, the Editor of the *Standard*, and now a candidate for Governor—the originator of the Conservative party and the peace movement in North Carolina—has never gone as far in his advocacy of peace as does Mr. Stephens and Governor Brown; and he now goes before the people of the State for their suffrages upon the identical principles enunciated by those gentlemen.

Mr. Stephens wants Liberty and Independence, or devastation and ruin. Like our own distinguished statesman, Gov. Graham, he would be free in the means as well as the end.

We have withheld nothing in our power to command for a vigorous prosecution of the war, and yet we have been abused, and even our arrest demanded at the hands of the authorities; and yet we have never gone as far as Mr. Stephens. We now adopt his speech as our platform and are willing to rise or fall in such company. Especially do we commend the following:

"In any and every view, therefore, I look upon this *habeas corpus* suspension Act as unwise, impolitic, unconstitutional and dangerous to public liberty."

We appeal to every good citizen to stand by all acts of Congress as long as they are such, but we call upon our Governor, our Legislature and our Representatives in Congress, in the name of the people, to repeal the Act suspending the writ of *habeas corpus.*

Speaking of our noble veterans in the field, he says:

> You cannot, therefore, send these gallant defenders of constitutional liberty a more cheering message than that, while they are battling for their rights and the common rights of all in the field, you are keeping sacred watch, and guard over the same in the public councils. They will enter the fight with renewed vigor, from the assurance that their toil, and sacrifice and blood will not be in vain, but that when the strife is over and independence is acknowledged, it will not be a bare name, a shadow and a mockery, but that with it they and their children after them shall enjoy that liberty for which they now peril all. Next to this, the most encouraging message you could send them is, that while all feel that the brunt of the fight must be borne by them, and the only sure hope of success is in the powers of their arms, yet every possible and honorable effort will be made by the civil departments of the government to terminate the struggle by negotiation and adjustment, upon the principles for which they entered the contest."

Our peace propositions have never gone farther, and if we are a traitor to a government that we have supported and loved with more than a filial affection, so is the Vice-President; and if to be bastiled we crave the privilege of sharing his cell.

But the following we know will sink deep into the heart of every North Carolinian. Mr. Stephens concludes with the following appeal for Liberty:

> "But as a parting remembrance, a lasting *memento*, to be engraven on your memories and your hearts, I warn you against that most insidious enemy which approaches with her syren song, "Independence first and Liberty afterwards." It is a fatal delusion. Liberty is the animating spirit, the soul of our system of government, and like the soul of man, when once lost, it is lost forever. There is for it no redemption, except through blood. Never for a moment permit yourselves to look upon liberty, that constitutional liberty which you inherited as a birthright, as subordinate to independence. The one was resorted to to secure the other. Let them ever be held and cherished as objects co-ordinate, co-existent, co-equal, coeval and forever inseparable. Let them stand together, "through weal and through woe," and if such be our fate, let them and us all go down together in a common ruin. Without liberty, I would not turn upon my heel for independence. I scorn all independence which does not secure liberty. I warn you also against another fatal delusion, commonly dressed up in the fascinating language of—"If we are to have a master, who would not prefer to have a Southern one to a Northern one." Use no such language.—Countenance none such. Evil communications are as corrupting in politics as in morals.
>
> "Vice is a monster of such hideous mien,
> That to be hated, needs but to be seen.
> But seen too oft, familiar with her face,
> We first endure, then pity, then embrace.
>
> I would not turn upon my heel to choose between masters. I was not born to have a master from either the North or South. I shall never choose between candidates for that office—shall never degrade the right of suffrage in such an election. I have no wish or desire to live after the [illegible] of my country, and [illegible] be the [illegible] of [illegible] utmost [illegible] self [illegible] with all its guarantees [illegible] ty of Georgia, or give me death. This is my motto while living, and I want no better epitaph when I am dead."

Is there a man in North Carolina that will not endorse such language? Mr. Stephens wants to reform the errors of the authorities, not to embarrass them, and the people will stand by and with him.

In the memorable contest of 1860, when our "Ship of State" was rapidly losing her soundings and drifting to the breakers—when the names of the great statesman of the west, STEPHEN A. DOUGLAS, and Georgia's gifted son, HERSCHEL V. JOHNSTON, were offered to the American people with the belief that their great experience, patriotic devotion and purity of character would enable them to make the craft, in which the hopes of a nation were centered, answer her helm, Mr. Stephens raised his voice and exerted his gigantic intellect to still the troubled waters and secure for thirty millions of WHITE PEOPLE a perpetuation of the blessings of Constitutional Liberty; but the mad fanaticism of the two sections prevailed and the old ship went down. As one of the proudest recollections of our life we now point to the fact that, in our feeble way, we acted at that time with Georgia's great statesman. We thought him right and we followed him. But fanaticism prevailed and the sword was drawn, but we found Mr. Stephens where we knew we should find him—with Georgia and her sisters of the South. Again we were with him, and now, come weal come woe, we mean to follow him still.

Militia Officers, &c.

Our neighbor of the *Confederate* seems very anxious to conscript militia and home guard officers, magistrates, &c. We have no particular affection for these over any other class of our citizens, but as the State has honored every requisition for troops, has furnished her quota and more, and has not enough left, according to the opinion of many of our most intelligent citizens, to subsist the soldiers in the army and our people at home, we protest against these persons being taken.

Our neighbor is not only a lawyer but a good one, and yet we think he has hardly construed the act of the Assembly to "exempt certain officers," &c., correctly. He calls upon the Governor to put in these persons. We think, from reading the law, the Governor has no discretion in the matter. The Assembly has exempted certain persons named in the bill, and the act is in force until repealed; and unless the Confederate authorities desire to break down all State authority and place States, counties and towns, men, women and children under military rule, those who are exempted in the Act, though the Governor might be ever so anxious to put them in, cannot rightfully be taken. If, however, the opinions of partizan presses and of Enrolling Officers are to be taken as supreme, and all State authority, Legislative, Judicial and Executive to be trampled under foot, it is but a waste of breath to talk about law, rights or liberty.

We append the law that all may read and come to their own conclusions:

AN ACT TO EXEMPT CERTAIN OFFICERS AND EMPLOYEES FROM CONSCRIPTION.

SECTION 1. *Be it enacted by the General Assembly of the State of North Carolina, and it is hereby enacted by the authority of the same,* That in obedience to an act of the Congress of the Confederate States, passed and approved May the 1st, 1863, in relation to exempting certain persons necessary as the State officers in addition to the State officers exempted by the act of Congress, passed October 11th 1862, the Governor of the State having claimed and obtained the exemption of the following officers necessary to carry on the operations of the State government, viz: all Justices of the Peace whose appointments were made previous to May 11th, 1863, County Trustees, Solicitors, Registers, Tax Collectors, one Deputy Sheriff in each county where there is no Tax Collector, Coroners, Constables who entered into bond previous to the 11th of May, 1863, or their successors in office, one Duputy Clerk for each Court requiring it, one county Commissioner for each county for distributing money and provisions amongst soldiers' families, Agent appointed under an act of Assembly for any duty, commissioned officers of the Militia of this State and commissioned officers of the Home Guard, Mayors and Police of Raleigh, Wilmington, Salisbury, Charlotte, Fayetteville and Goldsboro', Counsellors of State, Board Internal Improvements and Literary Board, and employees of the State government in the different departments.

SEC. 2. *Be it further enacted,* That the General Assembly doth claim and exempt all the different classes of officers named in section first of this act in obedience to the act of Congress approved May 1st, 1863.

SEC. 3. *Be it further enacted,* That this act shall be in force from and after its ratification. [*Ratified the 14th day of December, A. D.,* 1863.]

R. S. DONNELL, S. H. C.
GILES MEBANE, S. S.

The Georgia Legislature has given up the militia of that State from 17 to 18 and from 45 to 50, and yet Gov. Brown retains the officers that an organization of all from 16 to 17 and from 50 to 60 may be kept up. We suppose this will be considered right in Georgia, but there are those who want North Carolina to give up everything. Why not abolish the Executure and Legislative at once, and turn everything over to the Military!

The Richmond *Enquirer* devotes a column and a half to show that the Yankees are about to fail for the want of men. We have had enough of this nonsense. If we can force men into the service, the enemy can, and they will do so, and the war will never stop because they cannot get men. If we want peace we must get it by negotiation or by whipping them. We know of no other way.

The Northern papers say Lincoln's regular army is to consist of 750,000, for active hostilities, while the whole militia of the North, about two millions, are to be called into service for six months to hold strategic points. Quite an army. Wonder what the price of gold will be after they are paid in greenbacks for the six months? If Lincoln don't mind his machine will run down. At the end of three years twenty-seven hundred thousand men to be called out to "crush the rebellion!" He may call, but will they come? There's the rub.

The Mobile *Register* thinks it can see in the party movements of the North some hopeful signs of peace. Wish we could have such a "vision." Certainly Grant's preparations on the Rappahannock and the fitting out of an expedition to number from thirty to fifty thousand at Annapolis, by Burnside, don't look much like peace. We hope we shall still realize it, however, after the smoke of the summer's campaign shall have passed away, if not before.

Forrest on his Travels.

[illegible] ing a j[illegible] official d[illegible] War Department:

DEMOPOLIS, [illegible]

To Gen. S. Cooper:

The following dispatch from Gen. Forrest has just been received:

L. POLK, *Lieutenant General.*

[illegible], TENNESSEE, [illegible] April 2.—*To Lieutenant General Polk:* [illegible] son on the 23d ultimo, and captured Union City on the [illegible], with [illegible] among them the renegade Hawkins, and most of his regiment, about two hundred horses and five hundred small arms.

I also took possession of Hickman, the enemy having passed it.

I moved north with Buford's division, marching direct from Jackson to Paducah in fifty hours, attacked it on the evening of the [illegible], drove the enemy to their gunboats and forts, held the town for ten hours, and could have held it longer, but found the small-pox raging and evacuated the place.

We captured many stores and horses, burned up sixty bales of cotton, one steamer in the dry dock, and brought out fifty prisoners.

My loss at Union City and Paducah, as far as known, is twenty-five killed and wounded, among them Colonel Thompson, commanding the Kentucky brigade, killed; Lieutenant Colonel Lanhum, of the Faulkner regiment, mortally wounded, and Colonel Crosslin, of the Ninth Kentucky, and Lieutenant Colonel Morton, of the Second Tennessee, slightly wounded.

The enemy's loss at Paducah was fifty killed and wounded. The prisoners in all five hundred.

N. B. FORREST.

DEMOPOLIS, April 3, 1864.

To Gen. S. Cooper:

The following dispatch just received from General Forrest:

JACKSON, TENNESSEE, *via* Waterford, April 2.—Six hundred Federal Prisoners will arrive at Ripley, Mississippi, to-day, *en route* for Demopolis.

Colonel Neeley engaged Hunt (?) on the 29th March, near Bolivar, capturing his entire wagon train, routing and driving him to Memphis, killing thirty and capturing thirty-five prisoners, killing two captains and capturing one.

L. POLK, Lieutenant General.

Fast Day.

To-morrow being a day of Fasting, Humiliation and Prayer, according to the resolution of Congress and the recommendation of the President, no paper will be issued from this office on Saturday morning.

The garroters seem to be having a bountiful harvest in Richmond. Nearly every night some poor devil is bagged, and in some cases a half [illegible]. The local columns of the Richmond papers teem with accounts of all kinds of crime. Of course the war and the changed condition of the population has much to do with this.

CAUGHT A TARTAR.—A gentleman from Florida informs us that a blockade running schooner, with an assorted cargo, ran into Deadman's Bay about ten days ago and came to anchor. She was soon boarded by a party of tories and deserters, who helped themselves to all they could carry off. The Captain, not liking the neighborhood, weighed anchor and was passing out the Bay, when the vessel ran aground.—The blockaders, seeing her in distress, put out to her in launches, when the crew, seeing them approach, applied a slow match to a lot of powder in the hold, poured turpentine over the deck, set it on fire and put out to the shore. The Yankees coming alongsid, boarded the vessel and were hard at work putting out the fire when the powder below exploded, blowing the whole party—numbering from twenty-five to thirty,—to "Kingdom come." Verdict: Served them right.

Sav. Rep.

MARRIED.

In Johnston county, on the 3d inst., by John R. Coats, Esq., Lieut. JOHN PLEASANT to Miss MARGRETT E. CUTTS, all of Johnston county.

At the Baptist Church, in this city, by Rev. T. H. Pritchard, Mr. ROBERT H BRADLEY, of the Southern Express Company, to Miss HARRIETT, eldest daughter of the late Frank King, of this city

DIED,

At Johnson's Island, 24th February, 1864, from an injury received by the cars running off the track while he was being transferred from Camp Chase to Sandusky, Ohio, Captain MARMADUKE N. COX, of Nashville, Tennessee.

The deceased was born in Halifax county, N. C., and removed, at an early age, to Tennessee. At the commencement of our troubles he warmly espoused the cause of the South and entered the service as a 1st Lieutenant of Infantry, in Col. Battle's regiment, and participated with it in the hard fought battles of Fishing Creek and Shiloh.

Upon the re-organization of the regiment he was unanimously elected to a Captaincy, but declined the position and raised a cavalry company, which he united with Morgan's command, and accompanied that gallant leader in many of his daring adventures, and was finally captured during the raid into Ohio last fall, from which time until his decease he has been held a prisoner of war. Bold and fearless in his character, his generous and manly virtues won him a host of friends, and his loss is deeply lamented by his command and the community in which he lived.

He was a brother of Col. W. R. Cox. COM.

Confederate copy and send bill to Progress.

FOR SALE.

$50 IN GOLD COIN TO EXCHANGE FOR NEW currency or fives. Apply at this office.
April 7-1t

NURSE WANTED.

A GOOD SERVANT IS WANTED TO ACT AS Child's Nurse, for which a good price will be paid. Apply immediately at PROGRESS OFFICE.
April 7-tf

TO MACHINIST.

WANTED IMMEDIATELY, ONE OR TWO GOOD Machinists, at North State Iron and Brass Works. For good workmen high wages will be paid and rations furnished.
April 6-10t* SHAY, WILLIAMSON & CO.

OLD IRON.

50,000 POUNDS OF OLD CAST AND wrought iron wanted immediately, at North State Iron and Brass Works.
SHAY, WILLIAMSON & CO.
April 6-10t*

[illegible] REWARD.

RANAWAY, LOST OR STOLEN, MY POINTER dog PAT. [illegible] eight years old, liver color, and was lame in his right shoulder when he left. I will give the above reward to any one who will return him to me, or for any information that will enable me to get him.
D. McD. LINDSEY,
April 6-5t Kittrell's, Granville Co., N. C.

NOTICE.

Office [illegible] & Gaston R. R. Co.,
RALEIGH, April 2, 1864.

ON AND AFTER 3rd INST., THE ACCOMMODATION train on the Road will leave Raleigh for Weldon at 7 o'clock P. M., returning will leave Weldon at 6 A. M., and arrive in Raleigh at 2.15 P. M.
P. A. DUNN, Gen'l Sup't.
April 4-2t

WANTED.

WE HAVE BEEN INSTRUCTED TO PURCHASE a woman [illegible]
CREECH & LITCHFORD,
April 5-2t* Com. Merchants.

W. R. RICHARDSON & CO.,
STOCK AND EXCHANGE BROKERS,
June 2-tf RALEIGH, N. C.

TELEGRAPHIC NEWS.

[REPORTS [illegible]]

[illegible] to act of [illegible] in the [illegible] Court of the Confederate States of the Northern District of Georgia.

From Richmond.

RICHMOND, April 6.—The aggregate official returns to [illegible],000,000 have been funded.

Gov. Smith has declined certifying in favor of the exemption of Justices of the Peace under forty-five years of age.

Weather clear to-day for the first time in ten days.

No sign of the flag of truce boat that was expected at City Point. Her detention is probably caused by the recent rains.

The annual election of city officers passed off quietly to-day.

There have been no sales of bonds or stocks in this market since the 1st of April.

DAILY AND WEEKLY PROGRESS.

OUR ONLY TERMS.

The following are the only terms for the *Daily and Weekly Progress* for the present. If the cost of labor and material continues to advance we shall make advances:

Daily paper, six months..........................$15.00
" " Three months..........................8.00
" " One month..........................3.00
Weekly paper, three months..........................3.00
" " six months..........................5.00

Any person sending us a club of ten or more, at one time from the same office, to the Weekly, shall have one copy gratis. No deduction for clubs to the Daily.

Our already large and rapidly increasing circulation renders the *Progress* the best advertising medium in the State. Advertisements are inserted in the Daily at the rate of $3 a square, of 8 lines, or 50 words, for every insertion, and in the Weekly for the same. Cash should accompany all orders.

☞ **Business Notice.**—The expenses attending the publication of the PROGRESS are enormous and have to be paid promptly, and we must do a cash business or none at all. We must demand cash from all save those business men of the city who have accounts with the office, and parties at a distance are expected to remit promptly when bills are sent. We have no time to collect bills and don't want to make any charges. There never was a better time to pay debts than the present, and all who owe us are requested and expected to pay at once.

☞ **How to Send us Money.**—Never send by mail when you can send by Express. All money sent by Express at our expense. Those sending us money by mail must do so at their own risk.

☞ **Any of our friends receiving important** news from the army by private letter or telegrams, will confer a great favor on us by sending or leaving them at this office for our use.

☞ **Twenty cents for Rags**.—Twenty cents a pound will be paid for all clean Cotton an Linen rags delivered at the Progress office.

☞ **Job Printing.**—Having an abundance of material and good workmen we are prepared to execute all orders for JOB PRINTING with dispatch.

A Conservative Meeting will be held at Rosenburg, Wake County, on the third Saturday in April. All true Conservatives are invited to be present.
March 21-td MANY CITIZENS.

To the People of North-Carolina.—In compliance with the wishes of many friends, I announce myself a candidate for the office of Governor of North-Carolina, at the election to be held on the first Thursday in August next.

My principles and views, as a Conservative "after the straitest sect," are well known to the people of the State. These principles and views are what they have been.—They will not be changed.

I am not disposed, at a time like this, to invite the people from their employments, and add to the excitement which prevails in the public mind, by haranguing them for their votes. We need all our energies to meet the common enemy, and to provide means of subsistence for our troops in the field and the people at home. Let the people go calmly and firmly to the polls and vote for the men of their choice. I will cheerfully abide their decision, whatever it may be.

If elected I will do every thing in my power to promote the interests, the honor and the glory of North-Carolina, and to secure an honorable peace.

March 4 td W. W. HOLDEN.

Hillsboro' Recorder, Salem Press, Greensborough Patriot, and Henderson Times will please copy till day of election, and forward accounts.

Congressional.—EDITOR PROGRESS:—We beg leave to suggest the name of our fellow-citizen, Gen. JAMES M. LEACH, as a candidate for Congress in this District, to supply the vacancy created by the death of Colonel Christian. In times such as the present men of age and experience, who possess talents, should be called to office. And as a member of the Legislature for many years, and also to Congress, his speeches, votes and conservative course in both bodies, gave general satisfaction and made many personal and political friends.

MANY CITIZENS,
March 10-tf of Davidson County.

We are authorized to announce A. G. FOSTER, of Randolph, a candidate to represent the 7th Congressional District of North Carolina in the Congress of the Confederate States, in the place of Hon. S. H. Christian, deceased. March 16-td

NOTICE.

OFFICE RALEIGH & GASTON R. R. CO.,
Raleigh, March 29th, 1864.

THE TAX IMPOSED BY THE CONFEDERATE States for the year 1864, on the shares of the Capital Stock of this Company, will be paid by the Corporation. Share holders will not give in or pay the tax.
W. J. HAWKINS,
March 31-12t President.

HARNESS AND CARRIAGES.

THE UNDERSIGNED RESPECTFULLY ANnounces to the public that he is now prepared to trim and repair buggies and carriages; also all kinds of harness.

Shop on Wilmington street, next door to the Confederate Blacksmith Shop. JOHN EAMES.
March 7-1m

WANTED.

10,000 POUNDS OF SHEET [illegible] IN SHEETS or scraps, not less than [illegible] inches by four. Also a lot of Hoop Iron, Rivets, also from 1 to 1½ pounds. Persons wishing to buy the wood work of two or four horse wagons, or the timbers and boxes for same, would do well to call on the subscriber.
March 29-4w G. A. LACK.
Confederate copy 4 weeks.

WANTED.

AT THE MANASSAS GAP RAIL ROAD SHOPS, Greensboro', N. C.,
2 first class Machinists,
6 Smiths,
20 Carpenters.
Highest wages paid. [illegible]

[illegible]

Charlotte Bulletin copy for same time, and forward accounts to advertiser.

PROGRESS ALMANAC FOR 1864.

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JAN'Y.						1	2
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GOVERNMENT OF NORTH CAROLINA.

His Excellency, Zebulon B Vance, Buncombe, Governor.
Col David A Barnes, Northampton, Aid.
do George Little, Wake do
Richard H Battle, Jr, Anson, Private Secretary.
Dr Edward Warren, Chowan, Surgeon General.
John P H Russ, Wake, Secretary of State.
Jonathan Worth, Randolph, Public Treasurer.
Curtis H Brogden, Wayne, Comptroller.
Samuel F Phillips, Orange, Auditor.
Oliver H Perry, Wake, State Librarian.
Major General R C Gatlin, Lenoir, Adjutant General.
Major William B Gulick, Beaufort, Paymaster.
Major John Devereux, Wake, Quartermaster.
Major Thomas D Hogg, Wake, Commissary and Ordnance Officer.
Major James Sloan, Guilford, Quartermaster.
Major Henry A Dowd, Edgecombe, do
Major James H. Foote, Asst. Adjt. Gen., (Roll of Honor.)
Major William A. Graham, Jr., Ass't Adjt. General.
Lieut Josiah Collins, Washington county, Ordnance Department.
Lieut. John B. Neathery, Wake, Asst. Adjt. General.
Lieut. Thomas White, Franklin, Asst. Quartermaster.

JUDICIAL.

Supreme Court.—Richmond M Pearson, Yadkin, Chief Justice. William H Battle, Orange, and Matthias E Manly, of Craven, Judges; Sion H Rogers, Wake, Attorney General; Hamilton C Jones, Rowan, Reporter; Edmund B Freeman, Clerk. [Meets in the city of Raleigh second Monday in June each year. The Morganton term has been discontinued.]

Superior Courts.—Judges.—Edwin G Reade, Person; Romulus M Saunders, Wake; Robert R Heath, Chowan; Robt S French, Robeson; James W Osborne, Mecklenburg; George Howard, Wilson; Robert B Gilliam, Granville; William M Shipp, Henderson.

Solicitors.—1st Circuit, Jesse J Yeates, Hertford; 2d Circuit, Charles C Clark, Craven; 3rd Circuit, Sion H Rogers, Wake, Attorney General; 4th Circuit, Thomas Settle, Rockingham; 5th Circuit, Ralph Buxton, Cumberland; 6th Circuit, Robert F Armfield, Yadkin; 7th Circuit, William P Bynum; 8th Circuit, Augustus S. Merrimon, Buncombe.

Confederate States District Court.—Hon Asa Biggs, Martin, Judge; George V Strong, Wayne, Attorney; W N Watson, Craven, Clerk; Wesley Jones, Wake, Marshal.

Council of State.—F B Satterthwaite, Pitt; Robert P Dick, Guilford; Dr James Calloway, Wilkes; L Eldridge, Johnston; J R Hargrave, Anson; Jesse R Stubbs, Martin; James A Patton, Buncombe.

Literary Board.—His Excellency Gov. Vance, President *Ex officio*, Rev William E Pell, Wake, and Professor Richard Sterling, Guilford; Dr. Wm. Sloan, of Gaston; Richard H Battle, Jr, Secretary.

Board Internal Improvements.—His Excellency Governor Vance, President *ex officio*, Wm Eaton, Jr, of Warren and J H Flanner, of New Hanover. Richard H Battle, Jr, Secretary.

Commissioners of Sinking Fund.—Hon Thomas Ruffin Alamance, Hon Weldon N Edwards, Warren, and Hon David L Swain, Orange.

The University of North Carolina is at Chapel Hill.—Hon David L Swain, President.

Rev Calvin H Wiley is Superintendent of the Common Schools of the State.

Wiley J Palmer, A M, is Principal of the N C Institution for the Deaf and Dumb and Blind, at Raleigh.

Dr Edward C Fisher is Superintendant of Asylum for

GOVERNMENT OF THE CONFEDERATE STATES.

JEFFERSON DAVIS, of Mississippi, President, salary $25,000.

ALEXANDER H. STEPHENS, of Georgia, Vice President, salary $8,000.

Aids to the President—Col Wm M Browne, of Ga, Col James Chestnut, of S C, Col Wm P Johnston, of Ky, Col Joseph C Ives, of Miss, Col G W C Lee, of Va, Col John T Wood.

Private Secretary to President—Burton N Harrison, of Miss.

Department of State—Judah P Benjamin, of La, Secretary of State. L Q Washington, Chief Clerk. The office of Assistant Secretary is vacant.

Department of Justice—Attorney General, Geo Davis of North Carolina. Wade Keyes, of Ala, Assistant Attorney General. Rufus H Rhodes, of Miss, Commissioner of Patents. G E W Nelson, of Ga., Superintendent of Public Printing. R M Smith, of Va, Public Printer.

Treasury Department—C G Memminger, of S C, Secretary of the Treasury. Robert Tyler, Register. E C Elmore, Treasurer. J M Strother, of Va, Chief Clerk. Lewis Cruger, of S C, Comptroller. B Baker, of Florida, 1st Auditor. W H S Taylor, of La, 2d Auditor.

War Department—James A Seddon, of Va, Secretary of War. Judge John A Campbell, of Ala, Assistant Secretary of War. R G H Kean, Chief Bureau of War. Gen S Cooper, Adjutant and Inspector General. Lieut Col John Withers, Lieut Col H L Clay, Major Ed A Palfrey, Major Chas H Lee, Major S W Melton and Captain Reilly, Assistant Adjutants and Inspectors General. Brig Gen A R Lawton, of Ga, Quartermaster General. Col L B Northrop, of S C, Commissary General. Col J Gorgas, Chief of Ordnance. S P Moore, M D, Surgeon General. C H Smith, M D, Assistant Surgeon.

Navy Department—S R Mallory, of Florida, Secretary of the Navy. E M Timball, Chief Clerk. Com John M Brooke, Chief of Ordnance. Com A B Fairfax, Inspector of Ordnance. Com J K Mitchell, in charge of Orders and Detail. Surgeon W A W Spotswood, Chief of Medicine and Surgery. Paymaster [illegible], Chief of Clothing and Provisions.

Postoffice Department—John H Reagan, of Texas, Postmaster General. H St George Offutt, of Va, Chief of Contract Bureau. B N Clements, of Tenn, Chief of Appointment Bureau. John L Harrell, of Ala, Chief Finance Bureau. B Fuller, of N C, Clerk.

CITY OF RALEIGH.

Mayor—Wm. H. Harrison.

COMMISSIONERS.

Western Ward—W. H. Tucker, Alex. Creech and P Overby.

Middle Ward—W. R. Richardson, Augustus L. Longee and S. W. Scott.

Eastern Ward—Dr. W. H. McKee, J. J. Overby and N. S. Harp.

J. J. Christopher is Clerk to the Board and City Tax Collector.

W. R. Richardson is City Treasurer.

Town Constables—J. J. Betts, Chief—N. V. Denton, Assistant.

K. P. Battle, City Attorney.

[illegible]

F. G. King, [illegible]

[illegible] Wm. Overby.

[illegible]

WANTED.

WANTED TO EXCHANGE FOR CONFEDERATE [illegible]

[illegible]

Dr. L. MILLER,
Kinston, N. C.